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ORIGIN DRL-09

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	EB-01	EUR-01	H-01	TEDE-00	INR-00	IO-16	JUSE-00
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	P-01	SP-00	SR-00	SSO-00	SS-00	STR-01	TRSE-00
	USIE-00	PRME-01	G-00	/039R			

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TO AMEMBASSY BUJUMBURA PRIORITY

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AMEMBASSY BRUSSELS

C O N F I D E N T I A L STATE 209882

FOR A/S MOOSE FROM DRL A/S JOHN SHATTUCK

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E.O. 12356: DECL: OADR

TAGS: PHUM, OVIP, RW, BY, UG, F, BE

SUBJECT: A/S SHATTUCK VISIT TO RWANDA: OBJECTIVES

BUJUMBURA PLEASE PASS A/S MOOSE

REF: GENEVA 6703

1. CONFIDENTIAL - ENTIRE TEXT.

2. HEREIN FOLLOW PRIORITIES FOR IMMEDIATE ACTION ON
RWANDA RELATING TO HUMAN RIGHTS, INCLUDING THE SUBSTANCE

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OF THE MESSAGE A/S SHATTUCK WILL BE CARRYING TO THE
GOVERNMENT OF RWANDA/RPF LEADERS.

3. ASSURING THE GOR/RPF THAT WE MEAN BUSINESS ON A WAR
CRIMES TRIBUNAL -- IN ORDER TO FORESTALL YET ANOTHER ROUND
OF KILLING. SEVERAL ELEMENTS COME INTO PLAY:

-- A/S SHATTUCK WILL TELL THE GOR/RPF THAT THE U.S. IS
COMMITTED TO MOVING SWIFTLY TO A TRIBUNAL; THAT WE ARE
WORKING WITH OTHER GOVERNMENTS AND THE UN TO ENSURE THAT
THE COMMISSION SUBMITS ITS REPORT WELL BEFORE THE
FOUR-MONTH DEADLINE; AND, THAT WE WILL MEANWHILE WORK ON A
SECURITY COUNCIL RESOLUTION TO CONSTITUTE THE TRIBUNAL AND
FACILITATE ITS ACTIVATION.

FACILITATE ITS ACTIVATION.

-- SHATTUCK WILL SEEK TO ASSESS WHAT IT WILL TAKE TO
CONVINCE THE GOR/RPF THAT IT CAN RELY ON THE INTERNATIONAL
COMMUNITY TO TAKE EFFECTIVE ACTION ON WAR CRIMES -- SO
THAT IT DOES NOT RESORT TO EXTRAJUDICIAL AND VIGILANTE
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ACTION OR OTHER ACTIONS LACKING IN DUE PROCESS OF LAW
AGAINST (HUTU) SUSPECTS. HE WILL STRESS THE COMMON
OBJECTIVE OF CUTTING OFF ONCE AND FOR ALL THE CYCLE OF
VIOLENCE AND RETRIBUTION. HE WILL INQUIRE ABOUT GOR/RPF
VIEWS ON HOW MANY INDIVIDUALS SHOULD BE PROSECUTED
(BEARING IN MIND THE ROUGH 5,000 FIGURE A/S MOOSE HAS
HEARD MENTIONED).

-- SHATTUCK WILL EMPHASIZE TO THE GOR/RPF THAT WE DO NOT
VIEW ACCOUNTABILITY AS A TUTSI/HUTU AFFAIR, AND THAT ANY
AND ALL WAR CRIMES, INCLUDING THOSE COMMITTED SINCE THE
RPF GAINED CONTROL OF THE COUNTRY. WILL BE SUBJECT TO
COMMISSION AND TRIBUNAL SCRUTINY.

-- SHATTUCK WILL ENCOURAGE THE RPF TO UNDERTAKE STEPS TO
FORM A BROAD-BASED GOVERNMENT AND TO CREATE CONDITIONS TO
ENCOURAGE THE RETURN OF REFUGEES WHO WISH TO GO HOME IN
RWANDA.

-- HE WILL DISCUSS WITH THE RPF THE NEED TO RECONSTITUTE
THE RWANDAN JUSTICE SYSTEM AND WAYS THE U.S. AND THE
INTERNATIONAL COMMUNITY COULD BE HELPFUL (E.G. A UN HUMAN
RIGHTS CENTER ADVISORY SERVICES PROGRAM).

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4. ASSESSING THE SITUATION OF RETURNEES IN RWANDA: THIS SHOULD ENABLE US TO DETERMINE WHETHER WE CAN URGE REFUGEES IN CAMPS IN NEIGHBORING STATES TO RETURN (AND RECOMMEND THAT UNHCR AND OTHERS DO THE SAME). SHATTUCK WILL SEEK A CLEAR COMMITMENT FROM THE GOR/RPF TO TAKE ALL POSSIBLE MEASURES TO PREVENT ANY RESORT TO VIGILANTE JUSTICE.

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5. REVIEWING WITH GOR/RPF THE NEED FOR THE FOLLOWING HUMAN RIGHTS ACTIONS (THROUGH THE DEPLOYMENT OF UN MONITORS AND OTHER MEANS):

- OVERSEE RETURN OF AND BOOST CONFIDENCE OF RETURNEES;
- OVERCOME INTIMIDATION IN CAMPS, CREATE CONDITIONS FOR REFUGEES TO RETURN AND TO DECIDE TO RETURN
- COLLECT EVIDENCE CONCERNING GENOCIDE, WAR CRIMES AND VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW;
- ASSIST RWANDA TO RECONSTITUTE ITS JUDICIAL SYSTEM AS PART OF ITS NATIONAL RECONCILIATION PROCESS.

6. ON HIS RETURN SHATTUCK WILL MAKE RECOMMENDATIONS

CONCERNING THESE SUBJECTS AND ADDRESS SPECIFIC FOLLOW-UP QUESTIONS SUCH AS:

- DETENTION OF SUSPECTS: HOW TO ACHIEVE COOPERATION FROM KEY GOVERNMENTS; WHETHER A UNSC RESOLUTION SHOULD AND CAN BE PASSED CALLING FOR CONCERTED ACTION ON DETENTIONS
- COLLECTION OF INFORMATION ON WAR CRIMES: WHETHER A U.S. TEAM SHOULD BE DISPATCHED AND OTHER NATIONAL TEAMS ENCOURAGED DURING THE PERIOD BEFORE THE TRIBUNAL IS IN OPERATION.
- COMMISSION OF EXPERTS: WHETHER AN EARLY VISIT TO RWANDA BY THE COMMISSIONERS. AS AN EARNEST OF UN SERIOUSNESS, IS FEASIBLE AND ADVISABLE
- HIGH COMMISSIONER FOR HUMAN RIGHTS/HUMAN RIGHTS CENTER: WHAT WE MIGHT ENCOURAGE GENEVA TO DO IN BOTH RWANDA AND BURUNDI (E.G. ADVISORY SERVICES PROGRAM FOR RWANDA).
- HUMAN RIGHTS MONITORS: HOW THE RAPID EXPANSION AND COORDINATION OF MONITOR FORCE FROM A VARIETY OF SOURCES

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(HUMAN RIGHTS CENTER. UNDP) MIGHT BE ACHIEVED AND FINANCED
(E.G. USAID SUPPORT FOR HUMAN RIGHTS CENTER, CONTRIBUTIONS
FROM OTHER GOVERNMENTS). MINIMIZE CONSIDERED . CHRISTOPHER

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